



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Application of: William KYTE et al.

Serial No.: 10/669,991 Examiner: Unassigned

Filed: 24 September 2003 Group Art Unit: Unassigned

For: TEXTURED GROUT COMPOSITION, DISPENSER THEREFOR, AND METHOD OF USE

**CERTIFICATE UNDER 37 CFR 1.8(a)**

I, SAMUEL W. APICELLI, REGISTRATION NO. 36,427, HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS FIRST CLASS MAIL IN AN ENVELOPE ADDRESSED TO COMMISSIONER FOR PATENTS, P.O. Box 1450, Alexandria, VA 22313-1450

ON November 25, 2003  
\_\_\_\_\_  
SAMUEL W. APICELLI  
*Samuel W. Apicelli*

**TRANSMITTAL LETTER**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Please find enclosed for filing:

- ☒ Information Disclosure Statement, PTO-1449 and references.
- ☒ Should any fees be incurred please debit Deposit Account No. 04-1679. This Transmittal Letter is submitted in duplicate.
- ☒ Return Postcard

Respectfully submitted,

Date: 11/25/03

*Samuel W. Apicelli*  
\_\_\_\_\_  
Samuel W. Apicelli  
Registration No. 36,427  
Customer No. 08933  
DUANE MORRIS, LLP  
305 North Front Street, P.O. Box 1003  
Harrisburg, PA 17108-1003  
(717) 237-5516

SWA/tmf  
Docket No.: H1938-00036



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Alexandria, VA 22313-1450  
ON November 25, 2003  
SAMUEL W. APICELLI  
*Samuel W. Apicelli*

**INFORMATION DISCLOSURE STATEMENT**

Mail Stop DD  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Pursuant to the Duty of Disclosure set forth in 37 CFR 1.56, the materials listed on the enclosed form PTO-1449 are hereby brought to the attention of the Examiner. A copy of each is enclosed.

This Information Disclosure Statement is submitted within three months of the filing date and prior to the mailing date of the first Office Action on the merits received by Applicants in the above-identified application.

The claimed invention is patentable over the enclosed references. No representations are made regarding the references other than those set forth above.

Serial No. 10/669,991

The Examiner is requested to acknowledge consideration of the information provided in this paper in accordance with prescribed procedures.

Respectfully submitted,

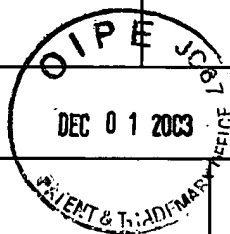
Date: 11/26/03

A handwritten signature in black ink, appearing to read "Samuel W. Apicelli", is written over a horizontal line.

Samuel W. Apicelli  
Registration No. 36,427  
Customer No. 08933  
DUANE MORRIS, LLP  
305 North Front Street, P.O. Box 1003  
Harrisburg, PA 17108-1003  
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Form PTO-1449 U.S. Department of Commerce Patent and Trademark Office INFORMATION DISCLOSURE STATEMENT IN AN APPLICATION (Use several sheets if necessary)	Docket No.	H1938-00036	Serial No.	10/669,991
	Applicant: William KYTE et al.			
	Filing Date:	24 September 2003	Group Art Unit	Unassigned



## U.S. PATENT DOCUMENTS

*EXAM INER INITIA L	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	2003/0029132A1	Feb. 2003	Ward			
	3,705,669	Dec. 1972	Cox et al.			
	3,854,267	Dec. 1974	Weiant et al.			
	3,859,233	Jan. 1975	Barker			
	4,230,356	Oct. 1980	O'Connor			
	4,381,066	April 1983	Page et al.			
	4,415,099	Nov. 1983	Paris			
	4,472,540	Sept. 1984	Barker			
	4,758,295	July 1988	Sawaide et al.			
	4,833,178	May 1989	Schaefer et al.			
	5,505,344	Woods	April 1996			

## FOREIGN PATENT DOCUMENTS

	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATIO N	
						YES	NO
						<input type="checkbox"/>	<input type="checkbox"/>
						<input type="checkbox"/>	<input type="checkbox"/>

## OTHER (Including Author, Title, Date, Pertinent Pages, Etc.)

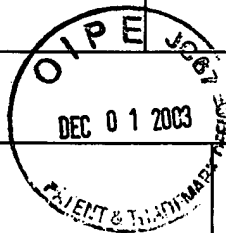
	<a href="http://www.herc.org/library/msds/scotchgard3.htm">www.herc.org/library/msds/scotchgard3.htm</a> - 3M General Offices – <i>Scotchgard™ Brand Protector for Fabrics</i> – Internet printout – August 13, 2003 – 4 pages
	<a href="http://www.mineral.galleries.com/minerals/carbonat/calcite/calcite.htm">www.mineral.galleries.com/minerals/carbonat/calcite/calcite.htm</a> - <i>The Mineral Calcite</i> – Internet printout - August 13, 2003 – 4 pages
	<a href="http://www.products3.3m.com/catalog/ca/en001/home_leisure/-/node_03FSolSTR7gs/root_GS...">www.products3.3m.com/catalog/ca/en001/home_leisure/-/node_03FSolSTR7gs/root_GS...</a> - 3M Canada - <i>Scotchgard™ Heavy Duty Water Repellent, For Outdoor</i> – Internet printout – August 13, 2003 – 9 pages
	3M – <i>3M Material Safety Data Sheet Scotchgard™ Carpet and Upholstery Protector Concentrate</i> – February 25, 2003 – 6 pages
	<a href="http://www.products3.3m.com/catalog/ca/en001/home_leisure/-/node_L67MJVKX2Qgs/root_GS...">www.products3.3m.com/catalog/ca/en001/home_leisure/-/node_L67MJVKX2Qgs/root_GS...</a> - 3M Canada - <i>Scotchgard™ Cleaner for Fabric &amp; Upholstery</i> – August 13, 2003 – 7 pages

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP § 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.

Form PTO-1449 U.S. Department of Commerce Patent and Trademark Office INFORMATION DISCLOSURE STATEMENT IN AN APPLICATION (Use several sheets if necessary)	Docket No.	H1938-00036	Serial No.	10/669,991
	Applicant: William KYTE et al.			
	Filing Date:	24 September 2003	Group Art Unit	Unassigned



## U.S. PATENT DOCUMENTS

*EXAM INER INITIA L	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	6,284,077	Sept. 2001	Lucas et al.			
	6,291,536	Sept. 2001	Taylor			
	6,309,493	Oct. 2001	Braun et al.			
	6,333,365	Dec. 2001	Lucas et al.			
	6,395,794	May 2002	Lucas et al.			
	6,414,044	July 2002	Taylor			
	6,478,561	Nov. 2002	Braun et al.			
	6,545,068	April 2003	Simmons et al.			
	6,596,074	July 2003	Pomeroy			

## FOREIGN PATENT DOCUMENTS

	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION
						YES NO
						<input type="checkbox"/> <input type="checkbox"/>

## OTHER (Including Author, Title, Date, Pertinent Pages, Etc.)

	<a href="http://www.realgar.mcli.dist.maricopa.edu/aaaim/linear/L1.html">www.realgar.mcli.dist.maricopa.edu/aaaim/linear/L1.html</a> - <i>Tools for Testing Hardness</i> - Internet printout - August 13, 2003 - 1 page
	<a href="http://www.mineral.galleries.com/minerals/hardness.htm">www.mineral.galleries.com/minerals/hardness.htm</a> - <i>What is Important About Hardness</i> - Internet printout - August 13, 2003 - 4 pages
	<a href="http://www.wovenwire.com/reference/particle-size-print.htm">www.wovenwire.com/reference/particle-size-print.htm</a> - <i>STG Particle Size/Screen Mesh Comparison</i> - Internet printout - August 13, 2003 - 2 pages
	<a href="http://www.rohmhaas.com/rhcis/markets_and_products/floorcareproducts.html">www.rohmhaas.com/rhcis/markets_and_products/floorcareproducts.html</a> - <i>Rohm and Haas - Floor Care Polymers Trade Names</i> - Internet printout - August 13, 2003 - 2 pages
	Rohm and Haas Company - <i>Rhoplex I-98 Rhoplex I-62 Colloidal Dispersions</i> - October 2002 - 2 pages
	<i>Evaluating Screening Performance</i> - A.J. DeCenso - Rotex Inc., 1997 Powder & Solids Annual - 5 pages
	<a href="http://www.fluorochemsilanes.co.uk/silane%20modified%20polymers.htm">www.fluorochemsilanes.co.uk/silane%20modified%20polymers.htm</a> - <i>Fluorochem - Silane-Modified Polymers</i> - Internet printout - September 15, 2003 - 2 pages
	<a href="http://www.specialchem4polymers.com/tc/organic-colorants/index.aspx?id=5002">www.specialchem4polymers.com/tc/organic-colorants/index.aspx?id=5002</a> - <i>SpecialChem - Organic Colorants Center</i> - Internet printout September 15, 2003 - 2 pages

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